

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3163
	)	
v.	)	
	)	
BRANDON GEROME COFFMAN,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	
	)	

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I have reviewed the information provided in the pretrial services report and the supplemental report provided on December 31, 2008, as well as the information contained in the report of the defendant's evaluator at Lutheran Family Services. While I have no doubt that the defendant is in need of substance abuse treatment, the proposal does not sufficiently address the risk of danger to others if this individual is released. It is noteworthy that he was arrested three times while he was on parole between December 28, 2006 and February 25, 2008, and one of those charges was for assault. Subsequently he was arrested two more times on assault charges. In addition, the defendant was on parole during the entire time period charged in the indictment.

Discounting those charges that remain pending, defendant has demonstrated that release on conditions did not deter him from engaging in unlawful and assaultive behavior. I think that if he were released to anything other than a very strict, supervised environment, defendant would pose a risk of danger to his fellow treatment participants. The present proposal does not "reasonably assure" the safety of the community.

IT THEREFORE HEREBY IS ORDERED,

Defendant's motion for release, filing no. 16, is denied.

DATED this 5<sup>th</sup> day of January, 2009.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge